IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.2551 OF 2002

Sinhgad Technical Education Society. ...Petitioner.
Vs.
Divisional Commissioner,
Pune Division, Pune & Ors. ...Respondents.

....

Mr. P.J. Pawar for the Petitioner.
Mrs. M. P. Thakur, AGP for Respondent Nos.1, 2, 4 and 5.
Mr. R. M. Pethe i/b. Shri R.G. Ketkar for Respondent No.3.

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CORAM : F.I. REBELLO, J. AND
DR.D.Y.CHANDRACHUD, J.

February 8, 2006.

P.C.

The Petitioner approached this Court seeking a direction against Respondent No.3 to forthwith sanction the revised layout plan submitted by the Petitioner on 2nd November 2001 and consequential reliefs. It appears that in the Development Plan, the site was reserved for Respondent No.3. Respondent No.3 has commenced construction of a water tank on the site and 85% of the work is already completed. That being the case, it will not be possible at this stage to consider the relief as prayed for by the Petitioner. In the light of that, no interference in the exercise of our extraordinary jurisdiction is called for. It will, however, be open to

the Petitioner to seek remedies in law which they are entitled to. With the above observation, the petition is dismissed.

(F.I. Rebello, J.)

(Dr. D.Y. Chandrachud, J.)